

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT WORKMAN, )  
Plaintiff, )  
 )  
v. ) Civil Action No. 05-1245  
 )  
SUPT. LOUIS FOLINO, et al., )  
Defendants. )

O R D E R

AND NOW, this 3<sup>rd</sup> day of January, 2006, after the plaintiff, Robert Workman, filed a civil rights complaint in the above-captioned case, and after the plaintiff moved for leave to proceed in forma pauperis, and after the Report and Recommendation of the United States Magistrate Judge was issued, and the plaintiff was given ten days after being served with a copy to file written objections thereto, and no objections having been filed, and after independent review of the record, from which it appears that the plaintiff has failed to submit a partial filing fee as directed by Court Order dated September 29, 2005, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted as the opinion of this Court,

IT IS ORDERED that plaintiff Robert Workman's motion for leave to proceed in forma pauperis (Docket No. 3) is denied;

IT IS FURTHER ORDERED that this action is dismissed without prejudice to the plaintiff's right to reopen it by paying the filing fee within twenty (20) days of the date of this Order.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Judge

cc: Robert Workman  
AT-0848  
SCI Greene  
175 Progress Drive  
Waynesburg, PA 15370

Honorable Robert C. Mitchell  
United States Magistrate Judge